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**FEB 28 2008**

**OFFICE OF PETITIONS**

In re Application of  
Luciano Nedbal et al.  
Application No. 10/629,662  
Filed: July 29, 2003  
Attorney Docket No. 114208-016

**ON PETITION**

This is a decision on the petition under 37 CFR 1.137(b)<sup>1</sup>, filed December 14, 2007 to revive the above-identified application.

The petition is **GRANTED**.

This application became abandoned December 13, 2007 for failure to timely reply to the Final Office Action mailed January 3, 2005, which set a three month period for response. Accordingly, a Notice of Abandonment was mailed July 22, 2005.

Petitioner has submitted a Request for Continued Examination (RCE) and an amendment as the submission required under 37 CFR 1.114. Deposit account no. 16-0605 has been charged for the petition fee and the RCE fee.

Additionally, however, there is no indication that petitioner herein was ever empowered to prosecute the instant application. If petitioner desires to receive future correspondence regarding this application, the appropriate power of attorney documentation must be submitted. A courtesy copy of this decision is being mailed to petitioner. However, all future correspondence will be directed to the address of record

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<sup>1</sup>Effective December 1, 1997, the provisions of 37 CFR 1.137(b) now provide that where the delay in reply was unintentional, a petition may be filed to revive an abandoned application or a lapsed patent pursuant to 37 CFR 1.137(b). A grantable petition filed under the provisions of 37 CFR 1.137(b) must be accompanied by:

(1) the required reply, unless previously filed. In a nonprovisional application abandoned for failure to prosecute, the required reply may be met by the filing of a continuing application. In an application or patent, abandoned or lapsed for failure to pay the issue fee or any portion thereof, the required reply must be the payment of the issue fee or any outstanding balance thereof.

(2) the petition fee as set forth in 37 CFR 1.17(m);

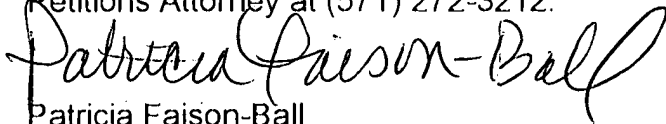
(3) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional. The Commissioner may require additional information where there is a question whether the delay was unintentional; and

(4) any terminal disclaimer (and fee as set forth in 37 CFR 1.20(d)) required pursuant to 37 CFR 1.137(c)).

until such time as appropriate instructions are received to the contrary.

This matter is being referred to Technology Center 3632 for processing of the RCE.

Telephone inquiries related to this decision should be directed to the undersigned  
Petitions Attorney at (571) 272-3212.

A handwritten signature in black ink, reading "Patricia Faison-Ball". The signature is fluid and cursive, with the first name "Patricia" and last name "Faison-Ball" clearly legible.

Patricia Faison-Ball  
Senior Petitions Attorney  
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cc:

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